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DEPARTMENT OF STATE A/CDC/MR
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ITEM : 983 ( ) custody case

TOP/SUBTOP (1): guyana/john stoen
TYPE OF DOC.: issue
CREATE DATE: JAN-25-78
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AIDE: WB

All the parties to this case are American citizens. The parents of the child are on one side and the People's Temple, a California religious organization that also operates in Guyana, on the other.

Our Ambassador and his staff in Guyana have taken an interest in the case, but have emphasized that the interest of the United States is confined to assuring that the matter is fairly and impartially adjudicated in the courts strictly on its merits and without outside interference from any quarter. Consistent with this position, the Embassy has avoided taking any sides in what is essentially a civil dispute between two groups of Americans. Nor has any pressure been brought by the Embassy on the Government of Guyana or its courts, which have yet to rule on the matter, in favor of one side or the other.

The inquiries made by the American Embassy on behalf of the child's parents were normal protective services that any American citizen abroad could expect to receive from his government. The inquiries were not attempts to interfere in the internal affairs of Guyana and, indeed, have not been interpreted as such.

While we in the Department of State sympathize very much with Mr. and Mrs. Stoen in their efforts to regain custody of their son, regrettably there is little we can do to be of assistance. Neither the Department of State nor the courts of the State of California have the authority to enforce a U.S. court decision concerning the custody of John Victor as long as he is physically located outside of the United States. Child custody orders issued in the United States are normally not accepted for enforcement in another country on the basis of comity. While any American custody decision might be given evidentiary weight in the Guyanese proceeding, by no means will it be binding on that court.

Since the initiation of the custody suit in Georgetown, the Department of State and our Embassy in Guyana have been in close contact with the Stoens and their attorneys, both American and Guyanese. The Embassy has attended all court

proceedings, when permitted to attend, and has assisted the Stoens in gaining access to Guyanese Government officials. The Embassy has regularly had conversations with the opposing attorneys and has spoken with Mr. Jim Jones, the head of the People's Temple. As Mr. Jones is also an American citizen and entitled to the same rights and protection as Mr. and Mrs. Stoen, the Embassy has been careful to avoid prejudicing the outcome of the dispute. It is the Embassy's responsibility to seek to ensure that the judicial outcome of the dispute results from a fair and impartial determination of the merits of the case, and all of our efforts are so directed.